

**PLANNING COMMISSION
CITY OF WILLOUGHBY
SEPTEMBER 14, 2017
PUBLIC HEARING
MINUTES**

PRESENT: C. Cox; K. Kary; Wade Mitchell; G. Merhar, Chairman

ABSENT: R. Fiala

OTHERS: Stephanie Landgraf, Asst. Law Director; Darryl Keller, Chief Bldg. & Zoning Official;
Vicki Grinstead, Secretary

Chairman Merhar called the public hearing to order at 7:01 p.m.

The legal notices were read into record by Mrs. Grinstead.

1899 Pub

38228 Glenn Ave.

(Greg Brown, Owner/Kevin Brennan, Esq.)

New Conditional Use Permit

**Kevin Brennan, Esq.
1330 Old River Rd.
Cleveland, OH 44113**

**Greg Brown
36550 Jackson Rd.
Chagrin Falls, OH 44022**

Mr. Greg Brown, Owner of 1899 Pub and Kevin Brennan, Esq. for 1899 Pub, 38228 Glenn Ave., Willoughby, Ohio are representing this application.

Mr. Brennan is the attorney for 1899 and is in favor of the proposal. Mr. Brown and his partner have owned the pub for approximately nine years. The previous owner had a CUP for the outdoor dining area. Mr. Brown and his current partner had an additional partner, which has since been bought out, that handled this portion of the business and did they did not realize the CUP was not transferrable.

Mr. Greg Brown, Owner of 1899 Pub is also in favor of the proposal.

Chairman Merhar asked if there was anyone else that would like to speak in favor of the proposal and there was no one.

Chairman Merhar asked if there was anyone that would like to speak in opposition of the proposal:

**Mr. Greg Patt
38005 Brown Ave.
Willoughby, OH 44094**

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Mr. Patt stated that in his experience on a weekend the music was deafening walking by on the street and in the parking lot near another establishment. He would like to Board to treat this as a new CUP and not a renewal.

Chairman Merhar asked if there was anyone that would like to speak in opposition of the proposal and there was no one.

Chairman Merhar asked if there was anyone that would like to speak in rebuttal in favor of the proposal:

**Kevin Brennan, Esq.
1330 Old River Rd.
Cleveland, OH 44113**

Mr. Brennan stated that the city has noise ordinances and the police can be called to the establishment to determine if the noise is in excess of the allowable levels. Mr. Brown also owns Ballantine's, whose patio backs up to 1899, and is a dining establishment. They would not allow music to be played so loud that it would disturb the patrons at Ballantine's.

Chairman Merhar asked if there was anyone that would like to speak in rebuttal in favor of the proposal and there was no one.

Chairman Merhar asked if there was anyone that would like to speak in rebuttal in opposition of the proposal and there was no one.

Ballantine's
4113 Erie St.
(Greg Brown, Owner/Kevin Brennan, Esq.)

**Amend Current Conditional
Use Permit**

**Kevin Brennan, Esq.
1330 Old River Rd.
Cleveland, OH 44113**

Kevin Brennan, Esq. for Ballantine's, 4113 Erie St., Willoughby, Ohio is representing this application.

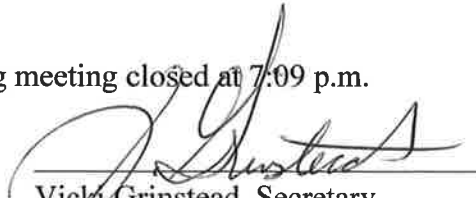
Mr. Brennan stated this amendment is simply to allow for speakers on the outdoor patio for the dining patrons to have some background music to be kept at conversational levels. It should not cause any annoyances to any of the other surrounding businesses in the downtown area.

Chairman Merhar asked if there was anyone else that would like to speak in favor of the proposal and there was no one.

Chairman Merhar asked if there was anyone that would like to speak in opposition of the proposal and there was no one.

There being no further business the public hearing meeting closed at 7:09 p.m.


Gerald Merhar, Chairman


Vicki Grinstead, Secretary